

**STATE WATER RESOURCES CONTROL BOARD  
BOARD HEARING SESSION – DIVISION OF WATER QUALITY  
JANUARY 9, 2018**

**ITEM 6**

**SUBJECT**

PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO THE STATEWIDE GENERAL PERMIT FOR THE DISCHARGE OF STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES

**DISCUSSION**

On April 1, 2014, the State Water Resources Control Board (State Water Board) adopted [Order 2014-0057-DWQ](#) for statewide regulation of storm water discharges associated with industrial activities (General Permit). This General Permit includes a reopener to incorporate requirements to implement existing Total Maximum Daily Loads (TMDLs) through a future permit amendment (Section XX.A).

State Water Board staff is proposing to amend the existing General Permit to: (1) incorporate permit requirements to implement existing TMDLs, (2) update monitoring requirements per the new federal Sufficiently Sensitive Methods Rule, and (3) provide permit compliance options for compliance with certain of this General Permit's technology-based effluent limitations, water quality based effluent limitations, discharge prohibitions, and TMDL requirements.

The proposed TMDL-related requirements (which include numeric action levels and numeric effluent limitations) are applicable to discharges in watersheds that identify industrial storm water discharges as a source of the subject surface waterbody impairment.

The proposed incorporation of requirements of the new U.S. EPA-approved Sufficiently Sensitive Methods Rule requires industrial storm water dischargers to use analytical methods that detect and quantify pollutants at, or below, the applicable water quality criteria or permit limits.

The proposed statewide compliance options provide all industrial storm water dischargers regulated by this General Permit, additional avenues for compliance, as appropriate, through:

- 1) On-site capture and use, and/or infiltration of storm water discharges (and authorized non-storm water discharges) up to and including the 85<sup>th</sup> percentile 24-hour daily storm volume, or
- 2) Participation in agreements with local municipalities to capture and use, and/or infiltrate storm water discharges up to and including the 85<sup>th</sup> percentile 24-hour daily storm volume off-site, as approved by the applicable Regional Water Quality Control Board.

## **POLICY ISSUE**

There are no policy issues with the proposed amendment to incorporate mandatory TMDL-related requirements and U.S. EPA analytical methods. The following policy issue pertains to the proposed compliance options:

Should the State Water Board allow the compliance option through storm water capture, use and infiltration statewide, or solely in regions and watersheds where the Regional Water Board does not have groundwater concerns?

## **FISCAL IMPACT**

Additional cost to Dischargers for further treatment and management of storm water for TMDL-specific pollutants. This may also increase the need for qualified storm water professionals (i.e. Professional Engineers, and Qualified Industrial Storm Water Practitioners) to develop and implement plans for the purposes of TMDL implementation.

## **REGIONAL WATER BOARD IMPACT**

Increased need for Regional Water Board staff resources for review and evaluation of TMDL-related requirements submitted into the Storm Water Multiple Applicable and Report Tracking System and, increased Regional Water Board staff resources for reviewing additional documentation submitted for the purposes of compliance with the Compliance Options.

## **STAFF RECOMMENDATION**

The State Water Board will not take action at this public hearing so there is no staff recommendation at this time.

State Water Board action on this item will assist the Water Boards in reaching Goal(s) 1 and 3 of the Strategic Plan Update: 2008-2012 to narrative of goal(s). In particular, approval of this item will assist in fulfilling Objectives 1.2, 3.1, and 3.2.
--